

## **BURR RIDGE VILLAGE CODE**

### **CHAPTER 58**

#### **WATER WORKS SYSTEM**

##### **Article I. Rates and Collections**

- [Sec. 58.01. Water rates and charges](#)
- [Sec. 58.02. Commencement and discontinuance of service; Certificates of service; billing procedures](#)
- [Sec. 58.03. Parties liable for payment](#)
- [Sec. 58.04. Delinquencies; liens](#)
- [Sec. 58.05. Foreclosure proceedings for nonpayment of lien](#)
- [Sec. 58.06. Discontinuance of service for non-payment](#)
- [Sec. 58.07. Rendering bills; collection of payments](#)
- [Sec. 58.08. Delivery of revenues to Village Treasurer](#)
- [Sec. 58.09. Water fund](#)
- [Sec. 58.10. Recordkeeping; audits](#)

##### **Article II. General Provisions**

- [Sec. 58.11. Administering the water system](#)
- [Sec. 58.12. Use and operation of fire hydrant; permit requirements](#)
- [Sec. 58.13. Work with components of water system, damage thereto](#)
- [Sec. 58.14. Excavations near components of water system; liability for damage](#)
- [Sec. 58.15. Restricting use of water](#)
- [Sec. 58.16. Application for service; deposits](#)
- [Sec. 58.17. Return of deposit](#)

##### **Article III. Meters**

- [Sec. 58.18. Approval of meters required](#)
- [Sec. 58.19. Testing meters; repairs](#)
- [Sec. 58.20. Meter failure; excess meter charges](#)
- [Sec. 58.21. Purchase and replacement of meters](#)
- [Sec. 58.22. Tampering with meters; penalties](#)
- [Sec. 58.23. Connection fees; inspection of connections](#)
- [Sec. 58.23.1 Tear downs; Fees](#)
- [Sec. 58.24. Additional connection fees](#)
- [Sec. 58.25. Building permit water charges; temporary meters](#)
- [Sec. 58.26. Ownership of meters](#)
- [Sec. 58.27. Turning on water supply](#)

##### **Article IV. Construction Regulations**

- [Sec. 58.28. Connection permits](#)
- [Sec. 58.29. Water service lines specifications](#)
- [Sec. 58.30. Records of location of system](#)
- [Sec. 58.31. Location and connection of meters](#)
- [Sec. 58.32. Valves](#)
- [Sec. 58.33. Installation of meters](#)
- [Sec. 58.34. Customer maintenance of service line](#)
- [Sec. 58.35. Repair permits](#)

<a href="#"><u>Sec. 58.36.</u></a>	<a href="#"><u>Repairs requiring opening of street; permit required</u></a>
<a href="#"><u>Sec. 58.37.</u></a>	<a href="#"><u>Repair of street openings</u></a>
<a href="#"><u>Sec. 58.38.</u></a>	<a href="#"><u>Maintenance of pipes and fixtures</u></a>
<a href="#"><u>Sec. 58.39.</u></a>	<a href="#"><u>Access to meter</u></a>
<a href="#"><u>Sec. 58.40.</u></a>	<a href="#"><u>Service lines to separate property or premises</u></a>
<a href="#"><u>Sec. 58.41.</u></a>	<a href="#"><u>Meters in multiple family or multiple occupancy buildings</u></a>
<a href="#"><u>Sec. 58.42.</u></a>	<a href="#"><u>Access by Superintendent of Public Works</u></a>
<a href="#"><u>Sec. 58.43.</u></a>	<a href="#"><u>Tapping ahead of meter; providing water to non-residents of serviced property</u></a>
<a href="#"><u>Sec. 58.44.</u></a>	<a href="#"><u>Conditions for obtaining water service</u></a>
<a href="#"><u>Sec. 58.45.</u></a>	<a href="#"><u>Discontinuance of service to properties sharing a service line</u></a>
<a href="#"><u>Sec. 58.46.</u></a>	<a href="#"><u>Discontinuance of service generally</u></a>
<a href="#"><u>Sec. 58.47.</u></a>	<a href="#"><u>Liability for damage; temporary shutoff of water</u></a>
<a href="#"><u>Sec. 58.48.</u></a>	<a href="#"><u>Regulations and specifications for water main distribution system</u></a>
<a href="#"><u>Sec. 58.49.</u></a>	<a href="#"><u>Approval of extension plans</u></a>
<a href="#"><u>Sec. 58.50.</u></a>	<a href="#"><u>Ownership of extension</u></a>
<a href="#"><u>Sec. 58.51.</u></a>	<a href="#"><u>Private agreements for water main installation; connection of property not in Village</u></a>
<a href="#"><u>Sec. 58.52.</u></a>	<a href="#"><u>Mains outside the Village limits; surety bond</u></a>
<a href="#"><u>Sec. 58.53.</u></a>	<a href="#"><u>Water service outside the Village limits</u></a>
<a href="#"><u>Sec. 58.54.</u></a>	<a href="#"><u>Installing water mains; methods</u></a>

## **Article V. Connections**

<a href="#"><u>Sec. 58.55.</u></a>	<a href="#"><u>Definitions</u></a>
<a href="#"><u>Sec. 58.56.</u></a>	<a href="#"><u>Cross Connections Prohibited</u></a>
<a href="#"><u>Sec. 58.57.</u></a>	<a href="#"><u>Technical Requirements</u></a>
<a href="#"><u>Sec. 58.58.</u></a>	<a href="#"><u>Backflow Prevention Devices Required</u></a>
<a href="#"><u>Sec. 58.59.</u></a>	<a href="#"><u>Notification of Violation</u></a>

## **Article VI. Air Conditioners and Refrigeration Systems**

<a href="#"><u>Sec. 58.60.</u></a>	<a href="#"><u>Systems not permitted</u></a>
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## **Article VII. Fluoride**

<a href="#"><u>Sec. 58.61.</u></a>	<a href="#"><u>Use of fluoride</u></a>
<a href="#"><u>Sec. 58.62.</u></a>	<a href="#"><u>Fluoride levels</u></a>

## **Article VIII. General Provisions, Penalties, Severability**

<a href="#"><u>Sec. 58.63.</u></a>	<a href="#"><u>Authorization to act for Superintendent of Public Works</u></a>
<a href="#"><u>Sec. 58.64.</u></a>	<a href="#"><u>Minimum requirements</u></a>
<a href="#"><u>Sec. 58.65.</u></a>	<a href="#"><u>Filing of ordinance as notice to property owners</u></a>
<a href="#"><u>Sec. 58.66.</u></a>	<a href="#"><u>Conflicting provisions</u></a>
<a href="#"><u>Sec. 58.67.</u></a>	<a href="#"><u>Penalties</u></a>
<a href="#"><u>Sec. 58.68.</u></a>	<a href="#"><u>Effect of prior ordinances</u></a>
<a href="#"><u>Sec. 58.69.</u></a>	<a href="#"><u>Severability</u></a>
<a href="#"><u>Sec. 58.70.</u></a>	<a href="#"><u>Effective date; publication</u></a>
<a href="#"><u>Sec. 58.71.</u></a>	<a href="#"><u>Other Ordinances</u></a>

## **Article I. Rates and Collections**

### **Sec. 58.01.**

#### **Water Rates and Charges.** (Section amended by A-439-01-13)

Rates or charges for the use of and for the service supplied by the Water Works System of the Village of Burr Ridge, based (other than the fixed charge provided for below) upon the amount of water consumed, as shown by water meters, shall be as herein provided.

#### **RESIDENTIAL USERS:**

##### **Basic Water Consumption Charge:**

**Prior to March 1, 2013:** For each residential user of the Water Works System, the charge shall be \$4.66 per thousand gallons for all water consumed and billed for by the Village prior to March 2013.

**After March 1, 2013:** Effective with the first bill rendered by the Village after March 1, 2013, the charge shall be, except as hereinafter provided, \$5.16 per thousand gallons for all water consumed as reflected in such bill and thereafter.

##### **Second Tier Water Consumption Charge:**

**Prior to March 1, 2013:** For all water consumed and billed for by the Village prior to March 1, 2013, each residential user consuming between 70,001 and 90,000 gallons during the course of a two-month billing period shall be charged for water consumed in excess of 70,000 gallons, but less than 90,000 gallons, at the rate of \$7.99 per thousand gallons.

**After March 1, 2013:** Commencing with the first bill rendered after March 1, 2013, each residential user consuming between 70,001 and 90,000 gallons during the course of a two-month billing period shall be charged for water consumed in excess of 70,000 gallons, but less than 90,000, at the rate of \$8.49 per thousand gallons.

##### **Third Tier Water Consumption Charge:**

**Prior to March 1, 2013:** For all water consumed and billed for by the Village prior to March 1, 2013, each residential user consuming in excess of 90,000 gallons during the course of a two-month billing period shall be charged for water in excess of 90,000 at a rate of \$10.41.

**After March 1, 2013:** Commencing with the first bill rendered after March 1, 2013, each residential user consuming in excess of 90,000 gallons during the course of a two-month billing period shall be charged for water consumed in excess of 90,000 gallons at the rate of \$10.91 per thousand gallons.

##### **Water Consumption Charge for Association Landscape Meters:**

**Prior to March 1, 2013:** Each homeowners' association which installs separate water meters to record water consumed solely for the irrigation of the common area landscaping of the homeowners' association, the charge shall be \$4.66 per thousand gallons for all water consumed as reflected in such bill and thereafter.

**After March 1, 2013:** Commencing with the first bill rendered after March 1, 2013, for each homeowners' association which installs separate water meters to record water consumed solely for the irrigation of the common area landscaping of the homeowners' association, the charge shall be \$5.16 per thousand gallons for all water consumed as reflected in such bill and thereafter.

##### **Bi-Monthly Fixed Charge:**

Commencing with the first water bill rendered by the Village after May 1, 1992, each residential user of the Water Works System shall be charged a fixed charge, in addition to the normal rate set forth herein

based on water consumption.

**Prior to March 1, 2010:** The fixed bi-monthly charge for water service shall be \$7.48 for each residential user, and each apartment, condominium, townhouse, homeowners' association common area landscaping irrigation meter or other type of residential unit shall be counted as a separate residential user for purposes of computing the total amount of fixed charges for an apartment house, a multi-unit condominium or townhouse building or other multi-unit residential building.

**After March 1, 2010:** Commencing with the first water bill rendered by the Village after March 1, 2010, the fixed bi-monthly charge for water service shall be \$7.48 for each residential user, and each apartment, condominium, townhouse, homeowners' association common area landscaping irrigation meter or other type of residential unit shall be counted as a separate residential user for purposes of computing the total amount of fixed charges for an apartment house, a multi-unit condominium or townhouse building or other multi-unit residential building.

**Rate for Users Outside the Corporate Limits:**

**Basic Water Consumption Charge:**

**Prior to March 1, 2013:** For each residential user of the Water Works System outside of the corporate limits, the charge shall be \$9.33 per thousand gallons for all water bills rendered by the Village prior to March 1, 2013.

**After March 1, 2013:** Commencing with the first water bill rendered by the Village after March 1, 2013, for each residential user of the Water Works System outside of the corporate limits the charge shall be, except as hereinafter provided, \$10.32 per thousand gallons for all water consumed.

**Second Tier Water Consumption Charge:**

**Prior to March 1, 2013:** For all water consumed and billed for by the Village prior to March 1, 2013, each residential user outside the corporate limits consuming between 70,001 and 90,000 gallons during the course of a two-month billing period shall be charged for water consumed in excess of 70,000 gallons, but less than 90,000 gallons, at the rate of \$15.98 per thousand gallons.

**After March 1, 2013:** Commencing with the first bill rendered after March 1, 2013, any residential user outside of the corporate limits consuming between 70,001 and 90,000 gallons during the course of a two-month billing period shall be charged for water consumed in excess of 70,000 gallons, but less than 90,000, at the rate of \$16.98 per thousand gallons.

**Third Tier Water Consumption Charge:**

**Prior to March 1, 2013:** For all water consumed and billed for by the Village prior to March 1, 2013, each residential user outside of the corporate limits consuming in excess of 90,000 gallons during the course of a two-month billing period shall be charged for water consumed in excess of 90,000 gallons at the rate of \$20.82 per thousand gallons.

**After March 1, 2013:** Commencing again with the first bill rendered after March 1, 2013, each residential user outside of the corporate limits consuming in excess of 90,000 gallons during the course of a two-month billing period shall be charged for water consumed in excess of 90,000 gallons at the rate of \$21.82 per thousand gallons.

**Bi-Monthly Fixed Charge:**

Commencing with the first water bill rendered by the Village after May 1, 1992, each residential user of the Water Works System outside the corporate limits shall be charged a fixed charge, in addition to the normal rate set forth herein based on water consumption.

**Prior to March 1, 2010:** Prior to March 1, 2010, the fixed bi-monthly charge for water service shall be \$14.96 for each residential user, and each apartment, condominium, townhouse or other type of residential unit shall be counted as a separate residential user for purposes of computing the total amount of fixed charges for an apartment house, a multi-unit condominium or townhouse building or other multi-unit residential building.

**After March 1, 2010:** Commencing with the first water bill rendered by the Village after March 1, 2010, the fixed bi-monthly charge for water service shall be \$14.96 for each residential user, and each apartment, condominium, townhouse, homeowners' association common area landscaping irrigation meter or other type of residential unit shall be counted as a separate residential user for purposes of computing the total amount of fixed charges for an apartment house, a multi-unit condominium or townhouse building or other multi-unit residential building.

#### **NON-RESIDENTIAL USERS:**

##### **Basic Water Consumption Charge:**

**Prior to March 1, 2013:** For each non-residential user of the Water Works System, the charge shall be \$7.39 per thousand gallons for all water consumed and billed for by the Village prior to March 1, 2013.

**After March 1, 2013:** Effective with the first bill rendered by the Village after March 1, 2013, the charge shall be \$7.89 per thousand gallons for all water consumed as reflected in such bill and thereafter.

##### **Bi-Monthly Fixed Charge:**

**Prior to January 1, 1997:** Commencing with the first water bill rendered by the Village after May 1, 1992, each non-residential user of the Water Works System shall be charged a fixed charge, in addition to the normal rate set forth herein based on water consumption. The fixed bi-monthly charge for water service for each non-residential user shall be \$16.95, and each separate occupancy or business entity in a multi-tenant commercial, industrial or other non-residential building shall be counted as a separate non-residential user for purposes of computing the total amount of fixed charges for a multi-tenant commercial, industrial or other non-residential building.

**After January 1, 1997:** Commencing with the first water bill rendered by the Village after January 1, 1997, non-residential users of the Water Works System shall no longer be charged a fixed charge, in addition to the normal rate set forth herein based on water consumption.

#### **Rate for users outside the corporate limits:**

##### **Basic Water Consumption Charge:**

**Prior to March 1, 2013:** For each non-residential user of the Water Works System outside of the corporate limits, the charge shall be \$14.78 per thousand gallons for all water bills rendered by the Village prior to March 1, 2013.

**After March 1, 2013:** Commencing with the first water bill rendered by the Village after March 1, 2013, for each non-residential user of the Water Works System outside of the corporate limits the charge shall be \$15.78 per thousand gallons for all water consumed.

##### **Bi-Monthly Fixed Charge:**

**Prior to January 1, 1997:** Commencing with the first water bill rendered by the Village after May 1, 1992, each non-residential user of the Water Works System shall be charged a fixed charge, in addition to the normal rate set forth herein based on water consumption. The fixed bi-monthly charge

for water service for each non-residential user shall be \$16.95, and each separate occupancy or business entity in a multi-tenant commercial, industrial or other non-residential building shall be counted as a separate non-residential user for purposes of computing the total amount of fixed charges for a multi-tenant commercial, industrial or other non-residential building.

**After January 1, 1997:** Commencing with the first water bill rendered by the Village after January 1, 1997, non-residential users of the Water Works System shall no longer be charged a fixed charge, in addition to the normal rate set forth herein based on water consumption."

#### **Sec. 58.02.**

#### **Commencement and Discontinuance of Service; Certificate of Service; Billing Procedures**

Charges for water service shall commence on the date when the water is turned on in accordance with the written application for water service and shall terminate for the particular applicant when water service is discontinued and a final meter reading is taken.

Separate applications are required for providing water service to a site during construction for construction purposes and for water service commencing upon occupancy of the premises once the construction is completed. The owner(s), general contractor, and any user(s) of the service shall be jointly and severally liable for water service during construction. A final meter reading shall be taken at the end of construction, and the general contractor and owner(s) of the property shall be responsible for notifying the Village Clerk that construction is completed. If there is no meter then the charge for water service during construction shall be billed under the provisions of Section 58.25 of this Chapter.

In no event shall water be furnished to any premises, except for construction purposes, unless a certificate of occupancy has been issued by the Village for the premises. In the event that such service is provided in error prior to issuance of a certificate of occupancy, then such service shall be discontinued upon written notice at least 72 hours before such service is discontinued. Notice shall be given to the owner(s) of the premises and users of the service, and to the occupants of the premises and users of the service if different than the owner(s), that such service shall be discontinued for lack of a certificate of occupancy. Notice shall be given by depositing the same in the U.S. mail, postage prepaid, addressed to the occupant(s) of the premises, and to the owner(s) of the premises, at such addresses as are shown on the then most current records of the Village. Receipt of such notice shall be conclusively presumed from proof of mailing. Service in any other manner where there is actual receipt of notice also shall be satisfactory service for the purposes of this Section. Such owner(s), and occupant(s) and user(s) of the service if different than the owner(s), shall be entitled to a hearing before the Village President, which hearing shall be held on the date and at the time specified in such notice, but in no event earlier than 48 hours after receipt of such notice or 72 hours after mailing such notice, whichever is sooner. In no event shall the water service be discontinued prior to the date and time for the hearing as specified in the notice. The decision of the Village President, made after the hearing regarding whether to discontinue such water service, shall be final. (Amended by A-439-4-92)

In the event of a change in the ownership of premises receiving water service or a change in the tenancy of the premises where the new tenant is to be charged for water service, the Village shall be notified promptly and a new application for water service made and signed; otherwise, the water service will be discontinued after notice and hearing in the same manner as provided for above for discontinuing water service because of lack of a certificate of occupancy.

All water furnished shall be charged and paid for as measured and registered by the water meters and the amount so charged shall be billed and become due and payable quarterly up to and including June 30, 1991, and thereafter shall be billed and become due and payable bi-monthly. All bills for water service shall be rendered as of the first day of the month succeeding the period for which the service is billed, and shall be payable not later than the close of business on the 25th day after the date of the bill. In the event that the due date should fall on a Sunday or on any legal holiday on which the Village office is closed, the due date shall be extended to the next following business day on which the Village office is open. If

payment of the full amount of the bill is not made within said period, then an amount equal to 10% of the total amount of the unpaid portion of the bill shall be added thereto. Such penalty shall be added only once to any specific unpaid portion of a bill. All payments received, however, shall first be applied to pay any penalties that have been applied and then next to any unpaid amounts which are overdue (applying it to any overdue amounts in the order in which they become due--that is, to the longest overdue amount first, etc.), with the balance, if any, to be applied to the portion of the then current water bill which is unpaid but not overdue. For, example, if a bill is rendered for \$75.00 in June and it is unpaid after 25 days, the Village will send an overdue statement applying the 10% penalty of \$7.50. If such an amount remains unpaid at the time the August bill is sent, and assuming that the current amount of the August bill is \$100.00, the August bill will be for \$182.50. If the August bill remains unpaid, a new overdue bill will be sent in September in the amount of \$192.50 (an addition of \$10 representing 10% of the \$100 August bill which is overdue and unpaid). If a payment then comes in September in the amount of \$100.00, such amount will be applied first to the penalties of \$7.50 and \$10.00 and then next to the \$75.00 - June bill; next to a portion of the \$100.00 unpaid bill for August. The Finance Director is authorized to waive such 10% amount, at the written request of the customer, once in every two year period. This waiver will be automatically granted if the customer has a proven good payment history; i.e., the customer must have made timely payments of all water/sewer charges during the prior two years. (Amended by A-439-1-92)

In the event charges for service are not paid within 90 days of their due date, such charges shall be turned over to a collection agency selected by the Village for such purposes. The Village Clerk or the Clerk's designee shall provide written notice, at least three (3) business days prior to turning the delinquent charges over to a collection agency, to the owner(s) of the premises as indicated by the taxpayer shown on the tax bill for the parcel involved and to the occupants of the premises and users of the service if different than the owner(s). The notice shall state that the past due amount, plus any penalty previously imposed, shall be turned over to a collection agency unless paid in full on or before a date certain and that unpaid charges may create a lien on the real estate. If the entire past due amount is not paid within said period, then an additional penalty, the agency collection charge, shall be added to the amount due. The agency collection charge for residential users shall be 50% of the total amount of the bill. The agency collection charge for non-residential users shall be 50% of past due bills in an amount up to \$300.00. If a past due non-residential bill exceeds \$300.00, the agency collection charge penalty shall amount to 50% of the first \$300.00 and 25% of any past due amount exceeding \$300.00. The notice shall be given in accordance with the provisions of this section concerning the notice requirements involving disconnection of water service because of a lack of an occupancy certificate. (Amended by A-439-1-93)

**Sec. 58.03.**

**Parties liable for payment.**

The owner of the premises being served, the occupant thereof, and the user of the service shall be jointly and severally liable to pay for the service to such premises. Service is furnished to the premises by the Village only upon the condition that the owner of the premises, the occupant thereof and the user of the service are jointly and severally liable to the Village therefore.

**Sec. 58.04.**

**Delinquencies; liens.**

In the event the charges for service are not paid within 30 days after rendition of the bill for such service, such charges shall be deemed and are hereby declared to be delinquent. These delinquencies shall constitute liens upon the real estate for which service is supplied, and the Clerk of the Village of Burr Ridge, when directed by the Village Administrator of said Village, shall file a notice of such liens in the office of the Recorder of Deeds of DuPage County, Illinois, if the property is situated in said DuPage County, or in the office of the Recorder of Deeds of Cook County, Illinois, if the property is situated in said Cook County (also in the Torrens office in Cook County if the property is registered in Torrens).

Said notice of such liens shall consist of a sworn statement setting out a description of the real estate upon or for which service was supplied, the amounts of monies due, and the date or dates when such amount or amounts became delinquent, and a copy of the Notice of Lien shall be sent to the taxpayer

listed on the tax bill for the parcel involved as the owner or record of the real estate. The filing of such statements in the appropriate Recorder of Deeds office shall be deemed notice for the payment of such charges for such service. In all cases where a lien has been recorded, a release fee of \$50.00 shall be charged in addition to the delinquent water charges plus current water charges. In addition, such lien claim shall be deemed a lien claim and notice of lien for all charges for water service subsequent to the period or periods covered by the bill or bills. (Amended by A-439-1-93)

The failure of the Village Clerk to record or register such notice of any such lien shall not affect the right to foreclose the lien for unpaid water bills as provided in Section 58.05 below nor shall it affect the right to turn the past due amount over to a collection agency and to charge the additional agency collection penalty as provided in Section 58.02 above. (Amended by A-439-5-89)

**Sec. 58.05.**

**Foreclosure proceedings for nonpayment of lien.**

Property subject to a lien for unpaid water charges shall be sold for nonpayment of same, and the proceeds of the sale shall be applied to pay the charges, after deducting costs, as is the case in the foreclosure of statutory liens. Such foreclosure shall be by bill in equity in the name of the Village. The Village attorney, when so directed by the President and Board of Trustees of the Village, is hereby authorized and directed to institute such proceedings in the name of the Village in any court having jurisdiction over such matters, against any property for which the bill for water has remained unpaid 30 days after it has been rendered.

**Sec. 58.06.**

**Discontinuance of service for nonpayment.**

If the charges for such service are not paid within forty-five (45) days after rendition of the bill for service, such service shall be discontinued after notice and hearing as provided for in this Section 58.06. Notice shall be given to the owner(s) of the premises, and to the occupants of the premises and users of the service if different than the owner(s), that such service shall be discontinued for non-payment of the charges in full. Notice shall be given by depositing the same in the U.S. Mail, postage prepaid, addressed to the occupant(s) of the premises and to the users of the service, and to the owner(s) of the premises at such addresses as are shown on the then most current records of the Village. Receipt of such notice shall be conclusively presumed from proof of mailing. Service in any other manner where there is actual receipt of notice also shall be satisfactory service for the purposes of this Section. Such owner(s), occupant(s) and user(s) of the service if different than the owner(s), shall be entitled to a hearing before the Village President no less than fifty (50) days from the date the bill was rendered (mailed). Such hearing shall be held before the Village President and will be held on the date and at the time specified in such notice, but in no event earlier than 48 hours after receipt of such notice or 72 hours after mailing such notice, whichever is earlier. In no event shall the water service be discontinued prior to the date and time for the hearing as specified in the notice. The decision of the Village President, made after the hearing regarding whether to discontinue such water service, shall be final. Once water service is discontinued, it shall not be reinstated until all past-due bills, including the additional charges thereon, are paid in full, together with a payment of the reinstatement charge of \$50.00. Nothing herein shall be construed to prevent the Village from collecting such amounts due by use of a collection agency under the provisions of Section 58.02 of this Chapter 58. (Amended by A-439-4-92)

**Sec. 58.07.**

**Rendering bills; collection of payments.**

It is hereby made the duty of the Village Clerk of the Village of Burr Ridge to render bills for service and for all rates and charges in connection therewith and to collect all moneys due thereon.

**Sec. 58.08.**

**Delivery of revenues to Village Treasurer.**

All revenues and moneys derived from the operation of the water works system shall be held by the Village Clerk separate and apart from said Clerk's private funds and separate and apart from all other



funds of the Village, and of said sums, without any deductions whatever, shall be delivered to the Village Treasurer not more than 10 days after receipt of the same, or at such more frequent intervals as may from time to time be directed by the President and Board of Trustees.

**Sec. 58.09.**

**Water Fund.**

The Village Treasurer shall receive all such revenues from the water works system, and all other funds and moneys incident to the operation of such system, as the same may be delivered to said Treasurer and shall deposit the same in a separate fund designated as the "Village of Burr Ridge Water Fund". The Treasurer shall administer such fund in every respect in the manner now or hereinafter provided by law.

**Sec. 58.10.**

**Recordkeeping; Audits.**

The Village Treasurer shall establish a proper system of accounts and shall keep proper books, records and accounts in which complete and correct entries shall be made of all transactions relative to the water works system, and at regular annual intervals the Treasurer shall cause an audit of the books, records and accounts, to be made by an independent auditing concern, to show the receipts and disbursements of the water works system.

## **Article II. General Provisions**

### **Sec. 58.11. Administering the water system.**

The system of water mains and pipes, softening plant, pumping station, wells, reservoirs, grounds, buildings and appurtenances thereto shall be under the administrative control of the Superintendent of Public Works subject to the approval of the President and Board of Trustees and to the direction and authority of the President and Board of Trustees.

### **Sec. 58.12. Use and operation of fire hydrant; permit requirements.**

No person, except a regularly authorized agent of the Village, shall cause water to flow from any public or private fire hydrant, except that a person other than such an agent of the Village may operate and use water from a fire hydrant only after a written permit has been issued by the Department of Public Works permitting such use.

Each applicant for a fire hydrant use permit shall be required to deposit with the Village the sum of \$900.00 for the use of a hydrant meter and hydrant wrench. Said fire hydrant meter must be installed by the applicant and maintained in good condition for the duration of the period during which the fire hydrant is in use. Upon completion of the fire hydrant use, the hydrant meter shall be returned to the Village in good operating condition. Water use recorded on the meter shall be charged at the rate of \$10.00 per thousand gallons for all water consumed. In addition, a fee of \$10.00 per day for the use of the hydrant meter and wrench shall be charged with a minimum charge of \$50.00. These charges shall be deducted from the \$900.00 deposit and the balance of the deposit shall be refunded. Any damages to the hydrant meter and/or hydrant wrench shall be deducted from the \$900.00 deposit before a refund is made. Any damages to the water user system caused by careless opening and closing of hydrants shall be paid by the applicant from the deposit or otherwise. (Amended by A-439-01-13)

### **Sec. 58.13. Work with components of water system, damage thereto.**

No person, other than a regularly authorized agent of the Village in line of duty, shall interfere in any manner with any public or private fire hydrant, water main, main line valve or box, or commit any act tending to obstruct the use thereof, without first obtaining a permit from the Superintendent of Public Works. No person shall willfully or carelessly break, injure, mar, deface, interfere with or disturb the walls, fixtures, buildings, machinery, apparatus, fencing, reservoirs, storage tanks or any of the appurtenances of the water system.

### **Sec. 58.14. Excavations near components of water system; liability for damage.**

Any person making an excavation in the vicinity of existing water mains, pipes, public or private fire hydrants, main line valves or boxes, or other components of the water system, shall be fully responsible for any damage or leakage to or from said leakage to the Superintendent of Public Works and shall also repair immediately such damage or leakage to the satisfaction of the Superintendent of Public Works and upon failure to do so shall be subject to the penalties provided in this Chapter.

### **Sec. 58.15. Restricting Use of Water.**

So as to comply with the Illinois Department of Transportation Rules and Regulations for the allocation of water from Lake Michigan, it shall be lawful for any person, firm or corporation to use water for the sprinkling or irrigation of lawns between the hours of 12 o'clock midnight and 12 o'clock noon and between the hours of 6:00 p.m. and 12 o'clock midnight only on Mondays, Tuesdays, Thursdays, Fridays, Saturdays and Sundays, between the dates of May 15 and September 15. Moreover, lawn sprinkling or irrigation will be further limited between such dates as follows: Those properties located North of 83rd

Street shall be entitled to sprinkle or irrigate their lawns only on Monday, Thursday and Saturday, and those properties located South of 83rd Street shall be entitled to sprinkle or irrigate their lawns only on Tuesday, Friday and Sunday, all in accordance with the hours herein set forth; no lawn sprinkling or irrigation shall be allowed on Wednesday. The prohibition and regulations provided herein shall not apply to the washing of cars, the hand watering of vegetables, flowers and gardens, and other outside water use unless further emergency regulations are imposed. (Amended by A-439-1-97)

The use of an automatic sprinkler system or device shall not relieve the owner or occupant of the property from the responsibility of using said system or device in conformity with the restrictions imposed under this section, even when the owner or occupant is not present on the property at the time the system or device is in operation on the property.

The Village further reserves the right to limit or suspend the use of water for sprinkling or irrigation of lawns and gardens, air conditioning or for any other special purposes whenever the President and Board of Trustees shall determine that the public exigencies require such action. If public exigencies so require, the President may unilaterally take such action prior to the earliest opportunity available for consultation with the Board of Trustees. The Village's well water system shall not be put into operation to augment the supply of Lake Michigan water unless public exigencies require such action. If public exigencies so require, the well water system shall not be put into operation until a total ban on sprinkling or irrigation of lawns and gardens is first imposed. (Amended by A-439-2-96)

Whenever the President or President and Board of Trustees further limit or suspend the use of water for sprinkling or irrigation of lawns and gardens, or for any other specific purpose(s), it shall be unlawful for any person, firm or corporation to use water for the sprinkling or irrigation of lawns and gardens or for any other special purpose(s) designated, other than during the times allowed for such use(s) of water, provided that said person, firm or corporation has received notice of said limitation on, or the suspension of, the use of water, from the Village or otherwise by telephone, U.S. mail or personal service, news media reports or other notification.

Any person, firm or corporation violating the provisions of this section shall be fined not less than \$50.00 nor more than \$500.00 for each offense and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. Any person, firm or corporation charged with said violation may be issued a citation or "P" ticket.

In lieu of prosecution for any such violation and in consideration for the waiver of such prosecution, for each violation the citation or ticket violators may settle and compromise the claim by paying to the Village the respective amounts set forth in the following schedule and within the times set forth in the following schedule:

1. Payment of \$50.00 for each violation within 10 days of the date of the original violation.
2. A FINAL NOTICE, which stipulates the date on which collection of the \$50.00 penalty shall be turned over to a collection agency approved by the Village for collection will be issued after 10 days.
3. In the event that said payment is made after the FINAL NOTICE and prior to the collection agency taking any action to collect the penalty, \$100.00 shall be accepted as settlement.
4. If the person accused of the violation does not settle the claim or request a hearing in the Circuit Court of DuPage County, he/she must request of the Chief of Police within 10 days of the date of the notice of violation that an administrative hearing be held. Upon receipt of a hearing request, the Chief of Police of the Village, or the designee of the Chief of Police, shall conduct the hearing. The person requesting a hearing shall be notified of the time, date and place of the administrative hearing. After the person accused of a violation has had an opportunity to

present his or her testimony, the Chief of Police or the designee of the Chief of Police shall advise the person of his/her findings. If the Chief of Police or the designee of the Chief of Police determines that the violation notice was valid and that an ordinance violation occurred, the \$50.00 penalty shall be due and payable within 10 days. If the offender fails to pay the fine, the claim may be turned over to a collection agency as set forth above.

5. In the event that actions taken by the collection agency fail to result in payment of the penalty due, a FINAL NOTICE, which stipulate the date on which filing of a complaint with the Clerk of the Circuit Court of DuPage County will be commenced, will be issued. Payment of any fine and costs shall be in such amounts as may be determined and established by the Court.  
(Amended by A-439-1-02)

#### **Sec. 58.16.**

##### **Application for service; deposits.**

No application for water service nor an application for extension of a Village water main or a connection to the Village water system shall be filed with the Village unless the application shows that the applicant either has constructed or will construct a water main from the nearest point of the Village's water distribution system to and across the entire width of the applicant's property to the far side thereof to a point approved by the Village Engineer in order to make the Village's system available to service adjoining properties.

In the case of a corner lot where no water mains exist across either frontage, the Village Engineer shall determine across which frontage the applicant shall be required to construct the water main, with no further requirement to construct the water main across the other frontage until such time as the property is divided or subdivided. If such water main extension is to be constructed, it shall be of the same diameter as the existing Village water main unless otherwise required by the Village. (Amended by A-439-1-01)

The applicant must post a letter of credit in the amount of at least 125 percent of the estimated cost of construction thereof, such escrow to be in the form and substance similar to the escrow required for the completion of land improvements under the Subdivision Regulations Ordinance of the Village. An improvement agreement must be entered into regarding such construction, which will include, among other things, the provisions under which the Village has the right to draw upon the letter of credit, a provision indicating that the applicant will provide all necessary maintenance and repairs to the water main so constructed for a period of one year after its acceptance by the Village, and a provision that an amount shall be retained by the Village equal to 10 percent of the original amount of the letter of credit to pay for any costs during such one year maintenance period. The agreement must also provide for the conveyance of the water main to the Village upon the Village's request.

#### **Sec. 58.17.**

##### **Return of Deposit.**

Any person, firm or corporation making a deposit provided for in Section 58.16 shall be entitled to the return of the same upon discontinuance of the use of water in or on the premises described in the application, and upon full payment to the Village for all water use and service or repair charges incurred, of any nature whatsoever.

### **Article III. Meters**

#### **Sec. 58.18. Approval of meters required.**

All water supplied by the Village shall be measured by water meters approved by the Superintendent of Public Works.

#### **Sec. 58.19. Testing meters; repairs.**

The Superintendent of Public Works shall from time to time cause to be inspected and test water meters as a routine procedure. Between routine tests the Superintendent shall cause to be inspected and tested such water meters as may appear to be out of order or indicate faulty registration. Any meters found faulty on such test shall be repaired at Village expense unless such faulty meter shall have been damaged by the negligence of the customer, in which case the Village shall charge the customer the cost of such repairs.

#### **Sec. 58.20. Meter failure; excess meter charges.**

If at any time a meter fails to register the quantity of water passing through same, the quantity shall be determined and the charge made, based on the quantity registered during the corresponding period of the previous year. The customer shall be responsible for maintaining all pipes and fixtures on the owned premises and no credit will be given on excess meter charges caused by leakage and waste on the customer's premises, whether known or not.

#### **Sec. 58.21. Purchase and Replacement of Meters.**

All water meters used to meter water purchased or otherwise obtained from the water system of the Village shall be purchased from the Village for the cost of the meter to the Village plus 10% and such shall be paid to the Village before any water service is connected to the water mains. Where an old meter becomes worn beyond repair and is no longer serviceable, it shall be replaced by the Village at no expense to the customer. However, in those instances when a building is demolished and a new building is constructed on the same site to take its place, the old meter shall be removed by the Village and the applicant for water service for the new building shall be required to purchase a new meter. Where a customer wishes to replace a serviceable meter with one of a different size the customer shall pay to the Village, before said meter is installed, the difference between the salvage value of the meter to be replaced, as determined by the Superintendent of Public Works, and the cost of the new meter. (Amended by A-439-1-95)

#### **Sec. 58.22. Tampering with Meters; Penalties.**

It shall be unlawful for any person to tamper with, cause a malfunction of, remove, injure or destroy any water meter. In addition to any penalty imposed in a quasi-criminal proceeding for violation of this section, the person so injuring, removing or destroying any such water meter shall reimburse the Village in full for any cost incurred by the Village in repairing or replacing the same. It shall be the duty of the owner or occupant of the premises and the individual water user to prevent any such tampering, removing, injuring or destruction of any such water meters. It shall further be the duty of the owner or occupant of the premises and the individual water user to notify the Village of any such tampering, removing, injuring or destruction of any such water meters immediately upon their acquiring knowledge thereof.

All new construction serviced by the Village of Burr Ridge water system which receives water from the Village mains at a static pressure greater than 75 pounds per square inch, shall install a pressure reducing valve of a type approved by the Superintendent of Public Works.

**Sec. 58.23.**

**Connection fees; inspection of connections.**

Connection fees for connecting to the water mains of the Village of Burr Ridge within its corporate limits shall be according to the following schedule, except in the case of special connection fees for certain water mains as provided by ordinance and except when a building is demolished and a new building is constructed on the same site to take its place, in which case the fees set forth in Section 58.23.1 shall apply: (Amended by A-439-1-95)

Single family detached residences	\$1,500.00 per building (amended by A-439-01-03)
Single family attached residence buildings	\$1,500.00 per dwelling unit (amended by A-439-01-03)
Multiple family residence buildings, including town houses	\$1,500.00 per dwelling unit (amended by A-439-01-03)

Industrial, commercial and office buildings:

Connection size:

1"	\$ 1,500.00 (Amended by A-439-01-03)
1 1/2"	\$ 1,500.00
2"	\$ 2,830.00
3"	\$ 4,995.00
4"	\$ 6,660.00
6"	\$11,655.00
8"	\$15,540.00
10"	\$19,425.00
12"	\$23,310.00

Plus \$350.00 for each additional unit (over 1) in any building where there are multiple users with only one meter. For purposes of this Section, a unit shall be deemed to be that amount of space designed to be used by or leased or sold to any one entity or person.

Any application made pursuant to this Section must be accompanied by the required fee(s) for the type of connection being requested.

The connection fee includes as a part thereof the cost of the Village supervising and inspecting the tapping of the main and the making of the connection, provided said connection is made during the regular working hours of the Superintendent of Public Works and the Superintendent's employees. If any connection is not made during regular working hours, an inspection fee of \$50.00 shall be charged and shall be payable at the time of the inspection. The actual tapping of the main and connection to the system shall be done by the owner's contractor at the owner's expense. All materials such as corporation cocks, wye fittings, curb stops and buffalo boxes shall be provided by the owner, or the owner's contractor, according to Village specifications and at owner's expense.

The tapping of the main and connection to the system shall be completed within 60 days of the date of application. Upon expiration of this 60 day period for connection, any application for connection shall no longer be valid. No refund of any connection fee will be made if any applicant fails to have the connection to the system completed within this 60 day period. If the applicant does fail to have such connection completed within 60 days of application, a new application must be made for connection along with another payment of the required fee(s). (Amended by A-439-3-88)

**Sec. 58.23.1****Tear downs; Fees** (Added by A-439-1-95)

The connection fees for connecting to the water mains of the Village of Burr Ridge shall not be required when a building is demolished and a new building is constructed on the same site to take its place. There shall be the following fees required:

Meter Removal by Village	\$50.00
Service Line Inspection	\$50.00
Meter Reconnection Inspection	\$50.00

All actual labor, except for the meter removal, and materials shall be provided by the owner's contractor at owner's expense.

**Sec. 58.24.****Additional connection fees.**

The connection fees for connecting to the water mains of this Village established by ordinance shall be subject to additional, fair and reasonable charges established from time to time for connection to water mains constructed or owned by the Village, pursuant to the provisions of Section 11-150-1 of the Illinois Municipal Code (Ch. 24, s11-150-1, Ill. Rev. Stat., as amended), and as added from time by ordinance.

**Sec. 58.25.****Building permit water charges; temporary meters.**

Whenever a building permit is issued, a flat water service charge prior to May 1, 1992 of \$50.00 and a flat water service charge of \$65.00 after May 1, 1992 for each residential building shall be paid, and a flat water service charge prior to May 1, 1992 of \$200.00 and a flat water service charge of \$260.00 after May 1, 1992 for each commercial or industrial building shall be paid, in addition to the building permit fee, to the Village for each three-month period while the building is under construction and before the permanent water meter is installed and protected from freezing to cover the cost of unmetered water used during the construction period and anticipated use in the building prior to said installation of the permanent meter. If, in the opinion of the Superintendent of Public Works, the use of water during the construction period may be excessive, the Superintendent may require the installation at the owner's expense of a temporary outside meter to measure water used and to be paid for at the regular metered water rates. (Amend. by A-439-1-92)

**Sec. 58.26.****Ownership of meters.**

All water meters heretofore installed or that may hereafter be installed are hereby declared to be the exclusive property of the Village regardless of the fact that a service charge to cover the cost thereof may have been or will be collected from the customer.

**Sec. 58.27.****Turning on water supply.**

No plumber or other person shall turn on the supply of water to any building or premises prior to the installation of a meter on all service lines installed, or shall allow the same to be done, without a permit from the Superintendent of Public Works; provided, however, that this section shall not be construed to prevent plumbers from turning on water to test the piping and fixtures and for providing water for construction purposes, in which case the plumber shall turn off the water as soon as these needs are met.

## **Article IV. Construction Regulations**

### **Sec. 58.28.**

#### **Connection permits.**

All applications to connect service pipes with the Village supply mains, for the installation of water meters, or for such other use of the Village water supply as may now or hereafter be authorized, shall be filed with the Superintendent of Public Works, who shall issue all permits therefor upon forms provided for that purpose; provided, however, that no such permit shall be issued by the Superintendent of Public Works until all fees for same, as provided in this ordinance, shall have been paid to the Village and a receipt issued therefor. No permit will be issued to any plumber who has not fully complied with all regulations of the Village concerning plumbing.

### **Sec. 58.29.**

#### **Water service lines specifications.**

Old building water service lines may be used in connection with new buildings taking the place of old buildings which have been demolished only when they are found, on examination by the Superintendent of Public Works, to meet all requirements of this Ordinance. Provided, however, all required inspection fees set forth in Section 58.23.1 shall be paid. If the old building water service line is abandoned and a new service line is connected to the water main, the old service line shall be disconnected from the main. (Added by A-439-1-95)

Water service lines specifications:

1. Material and sizes. All water service lines connected to the Village supply mains up to and including two (2") inches internal diameter shall be of cold drawn, soft annealed seamless copper tubing known by the trade name of Type K. All such water services larger than two (2") inches internal diameter shall be constructed of ductile iron cement lined pipe of a quality and weight equivalent to Class 52 as specified by the American Water Works Association.

The minimum size for any service line shall be one inch internal diameter, except that for premises where the potential use would, in the opinion of the Superintendent of Public Works, require a larger service line to maintain adequate pressure, the Superintendent may require a larger size service line than one (1") inch minimum.

All service taps for 2" water lines shall be supported by a service saddle.

For services larger than two (2") inches, special cast iron tees shall be used to make the connection to the Village supply main after approval of the proposed method for connection by the Superintendent of Public Works.

2. Method of installation. Taps in the Village supply main shall be made on the side of the main low enough to keep the service pipe below the top of the main and no tap shall be made closer than six (6") inches to any bell or hub.

Service pipe shall be laid in a straight line from the main to the curb box as near as possible at right angles to the line of the street and shall have at least five and one-half (5 1/2') feet of earth cover at all points.

The curb stop and buffalo box shall be installed in the parkway at a point eighteen (18") inches from the outer edge of the sidewalk if a sidewalk is in place and if there is no sidewalk they shall be installed seven and one-half (7 1/2') feet from the lot line, except that in commercial areas where there are no parkways buffalo boxes may be located at such points as may be approved by the Superintendent of Public Works.



All connections and joints on a service line shall remain uncovered until an inspection has been made with water pressure on to determine if there are any leaks and that the line meets with other requirements of the Village. Any leaks shall be repaired immediately before the line is covered. Particular care shall be taken to see that the buffalo box is properly placed and vertical.

**Sec. 58.30. Records of location of system.**

It shall be the responsibility of the Superintendent of Public Works to maintain permanent records of the service lines installed showing location, sizes, number of taps and other pertinent information.

**Sec. 58.31. Location and connection of meters.**

All meters must be set inside the building which they are to serve at a point free from frost danger and readily accessible to the meter reader. Inlet and outlet pipe shall be in a horizontal position parallel to the floor, with the top of the meter register facing straight up. Upon request, the Superintendent of Public Works may allow water meters to be located outside the building but, if so located, they shall be placed in frost proof concrete pits approved by said Superintendent and readily accessible to the meter reader.

For larger size meters, said Superintendent may require said meters be placed on the floor or on a concrete base to relieve the strain on service pipes.

All meter installations shall be subject to the approval of said Superintendent as to location and method of installation.

Unless otherwise approved by said Superintendent, a remote meter must be connected to the meter and securely fastened to the outside of the building at a point readily accessible to the meter reader and no less than four (4') feet above the finished grade. Both the meter and remote reader must be installed at the same time and must be inspected and sealed by said Superintendent before water customer water use begins. Any corrections in installation ordered by said Superintendent must be accomplished within 5 working days following the inspection. If said corrections are not accomplished after notice has been given, the corrections shall be made by the Superintendent and charged on a time and material basis.

The remote meter must be connected to the meter using two or three conductor plastic jacket thermostat wire in one-half inch (1/2") EMT conduit, as approved by the Superintendent. The wire connecting the remote meter to the meter must not exceed 500 feet in length. (Amended by A-439-2-92)

**Sec. 58.32. Valves.**

A stop and waste valve of the same size as the service pipe line shall be installed inside the building between the meter and the supply main as low as possible permitting accessibility. Said valve shall be of brass on all copper service lines, and cast iron on cast iron service lines. If it is not practicable to install a stop and waste valve, then a full size gate valve may be installed at a similar location with a smaller drain valve inserted between the gate valve and the meter.

**Sec. 58.33. Installation of meters.**

The plumber shall install pipe and fittings so that the water meter may be installed with a minimum of effort. Actual installation of water meters and removal of same when required, shall be under the supervision of the Superintendent of Public Works. Plumbers shall not set or remove meters without the consent of said Superintendent.

**Sec. 58.34. Customer maintenance of service line.**

It shall be the responsibility of the customer to maintain the entire length of the customer's service line from its connection with the Village supply main.

**Sec. 58.35.**

**Repair permits.**

No water service line or connection shall be repaired or altered without first securing a permit from the Superintendent of Public Works.

**Sec. 58.36.**

**Repairs requiring opening of street; permit required.**

Before opening any street for the construction or repair of any supply main or any service line, a permit therefor must first be obtained from said Superintendent of Public Works. Such permit requirement shall be waived for such work done by contract with the Village or by authorized Village employees.

**Sec. 58.37.**

**Repair of street openings.**

Any street opening made for installation or repair of Village supply lines or service lines shall be repaired in accordance with the applicable provisions of all Village ordinances relating thereto. All user service lines shall be augured if crossing pavements maintained by the Village of Burr Ridge.

**Sec. 58.38.**

**Maintenance of pipes and fixtures.**

It shall be the responsibility of the owner of a building or premises to maintain all water piping and fixtures on the owner's property in good repair and free from leakage of water. In case of leakage or faulty plumbing resulting in unnecessary waste of water, the owner shall make necessary repairs promptly on notice from the Superintendent of Public Works, and on failure to do so within the time specified, the water supply will be discontinued until such repairs are made and approved after notice and an opportunity for a hearing in the same manner as provided for in Sec. 58.02 hereof.

**Sec. 58.39.**

**Access to meter.**

It shall be the responsibility of the person receiving water service to keep the area adjacent to a meter free and clear for ready access by meter reader. Failure to do so after proper notice from the Superintendent of Public Works shall be sufficient cause to discontinue water service until this requirement is fully complied with. Any discontinuation of water service will occur only after notice and an opportunity for a hearing in the same manner as provided for in Sec. 58.02 hereof.

**Sec. 58.40.**

**Service lines to separate property or premises.**

A separate and complete service line shall hereafter be installed for each distinct property or premises and in no event will a single service line be hereafter allowed to serve two properties under separate ownership. Accessory buildings on a single property may be served from the service line to the main building, but separate meters for the accessory buildings may be installed either at the request of the person receiving water service or on order of the Superintendent of Public Works.

**Sec. 58.41.**

**Meters in multiple family or multiple occupancy buildings.**

The owner of a multiple family or multiple occupancy building may request a single meter for the entire building and said owner shall be responsible for the payment of water charges for the whole building.

**Sec. 58.42.**

**Access by Superintendent of Public Works.**

The Superintendent of Public Works and said Superintendent's agents or representatives shall have free

access during all reasonable hours (in accordance with law) to all parts of any building or premises on or in which Village water is delivered or consumed, in order to examine the pipes and fixtures to ascertain whether there is any unnecessary water. If such access is refused, the supply of water may be shut off after notice and an opportunity for a hearing as provided in Sec. 58.02 hereof.

**Sec. 58.43. Tapping ahead of meter; providing water to non-residents of serviced property.**

Any owner or customer who shall allow his or her service line to be tapped ahead of his or her meter for the purpose of using unmetered water for his or her own use or for the use of others shall, in addition to having his or her water shut off after notice and an opportunity for a hearing as provided in Sec. 58.02 hereof, be subject to the penalty provided in this chapter. No owner or customer shall furnish a supply of water to persons not residing on his or her property or allow a connection of any kind from their own supply of water to a supply of water or any device of any kind of those not residing on his or her property, except in the case of a temporary emergency and with the consent of the Superintendent of Public Works.

**Sec. 58.44. Conditions for obtaining water service.**

Water services will be furnished to the owner or occupant of any premises with a service line connected to the Village water system upon compliance with the provisions of this chapter. No water meter will be set until all charges or deposits required by the Village shall have been paid and unless the service line to which it is assigned is in good order and repair.

**Sec. 58.45. Discontinuance of service to properties sharing a service line.**

Whenever two or more properties are already supplied by one existing service line, the failure on the part of any party owning, residing on, or otherwise occupying any of said properties to comply with the provisions of this chapter, or if the single service line becomes unserviceable, shall be sufficient authorization for the Superintendent of Public Works to discontinue the service after notice and an opportunity for a hearing as provided in Sec. 58.02 hereof and without any liability whatsoever to any one or all parties.

**Sec. 58.46. Discontinuance of service generally.**

The President and Board of Trustees reserve the right to discontinue the supply of water to any customer for a violation of any of the provisions of this chapter after notice and an opportunity for hearing thereon as provided in Sec. 58.02 hereof, and not to restore such service until such violation has been corrected and all back water charges and proper fees have been paid, including the \$50.00 fee to cover the expense of turning off the water and restoring service. (Amended by A-439-3-92)

**Sec. 58.47. Liability for damage; temporary shutoff of water.**

The Village shall not be liable for any damage caused by a leak or break in any service pipe, or for damage caused by a failure to repair the same promptly or caused by a suspension or cessation of service for any reason; nor shall the Village be liable for any damage caused by the repair or installation of such pipes or resulting therefrom when such work is not done by the Village.

The President and Board of Trustees hereby reserve the right to temporarily cause the supply of water to be shut off at any time due to emergencies, without incurring any liability or giving any customer or other person any cause of action for damages of any kind, any permit granted or regulation to the contrary notwithstanding.

**Sec. 58.48. Regulations and specification for water main distribution system.**

Regulations and specification for water main distribution system:

1. **Water main sizes and materials:** All water supply mains hereafter installed as part of the distribution system of the Village shall have a minimum diameter of six (6") inches. All water supply pipes hereafter installed that are a part of the Village distribution system shall consist of ductile cast iron pipe, Class 52, conforming to American National Standards Institute (hereinafter designated "A.N.S.I.") A-21.51 or American Water Works Association (hereinafter designated "A.W.W.A.") C-151, except where unstable foundation conditions or aggressive soil conditions indicate to the Village Engineer that pipe of another material would be more satisfactory. Gaskets and cast iron fittings shall conform to A.N.S.I. A-21.10, A-21.11 or A.W.W.A. C-110 or C-111. Water main shall be cement lined in conformance with A.N.S.I. A-21.4 or A.W.W.A. C-104.

Water main sizes shall conform to the master water plan of the Village of Burr Ridge. This master plan dictates that all mains on section lines shall be 12" in diameter; and on half section lines, 8" in diameter. All water mains shall be looped unless otherwise directed by the Village Engineer. All non-looped water mains shall be 8" minimum diameter. Water mains shall be sized to provide the minimum fire flow requirements of the fire protection district within whose jurisdiction the construction applies. However, the Village Engineer may waive this requirement if it is deemed unfeasible to provide such level of service.

2. **Installation methods for water mains:** Water supply mains hereafter installed as part of the distribution system of the Village shall be laid with not less than five and one-half (5 1/2') feet cover over the top of the pipe, except where connections with existing mains which are shallower require a shallower depth for a limited distance. All water mains will be subjected to a pressure test upon completion and prior to acceptance. Installation of water mains shall conform to A.W.W.A. C-600-77. Hydrostatic pressure test and leakage test shall be based on 150 psi for two hours. The procedure for water main disinfection shall conform to A.W.W.A. C-601.
3. **Cast iron gate valves:** Gate valves shall be A.W.W.A. resilient cast iron body, bronze mounted, double disc, parallel seat gates valves per A.W.W.A. C-509, rated for 200 psi working pressure and shall be installed at such points in the system as may be designated by the Village Engineer so as to sectionalize the mains into reasonable divisions. Gate valves shall be installed on all mains 12" diameter or less.
4. **Butterfly valves:** Butterfly valves shall be A.W.W.A. cast iron body with bronze retainer rings per A.W.W.A. specification C-504, Class 150B with hydrostatic test pressure of 300 psi and shall be installed on all mains greater than 12" in diameter at such points in the system as may be designated by the Village Engineer so as to sectionalize the mains into reasonable divisions.
5. **Fire hydrants:** Fire hydrants of a type specified by the Village Engineer with two 2 1/2 inch outlet ports, and one 4 1/2 inch outlet port, shall be installed at such points as may be designated by the Village Engineer, but in no event shall hydrants be more than 300 feet apart. All hydrants shall open left (counter-clockwise). A gate valve with valve box shall be installed immediately in front of each hydrant so as to permit shutting off the water to the hydrant without disturbing the flow in the mains. All hydrants shall be furnished with a breakaway feature and shall be of the type that is Village standard as designated by the Village Engineer.
6. **Valve Vaults:** All gate valves and butterfly valves shall be constructed within an I.D.O.T. Type A valve vault with steps. Valve vaults on butterfly valves shall have offset cones. Frames shall be heavy duty Type 1 and shall be embossed with the word "Water". The Village Engineer may require the installation of a 1" corporation cock within certain valve vaults on the water mains for purposes of future flow gauging.

**Sec. 58.49.**

**Approval of extension plans.**

Before any extension to the existing water main supply system is installed other than extensions constructed by the Village itself, detailed plans and specifications of the proposed work shall be submitted to the Superintendent of Public Works and Village Engineer for their approval. When approved, the work shall be carried on strictly in accordance with said plans and specifications under the general supervision of said Superintendent. No change in the plans will be permitted without the express approval in advance by said Superintendent. Anyone installing any such extension shall give prior written approval to the provisions of Sec. 58.50 below.

**Sec. 58.50.**

**Ownership of extension.**

All extensions to the Village water main supply system hereafter made shall become the property of the Village immediately upon installation without regard to who may have paid for the cost of said installation.

**Sec. 58.51.**

**Private agreements for water main installation; connection of property not in Village.**

Private agreements to contribute to the cost of water main installation by a subsequent customer are permissible but the Village shall assume no responsibility for the enforcement of such agreements. No property located outside the Village limits will be allowed to connect to a water supply main unless otherwise agreed to by the President and Board of Trustees. The foregoing rules shall not apply to contracts or agreements previously entered into by the Village which may be in conflict therewith, except as such agreements may hereafter be modified, nor shall such rules or the succeeding sections of this Chapter be construed to imply a grant or right to or in anyone outside the Village limits to connect to the Village's water system.

**Sec. 58.52.**

**Mains outside the Village limits; surety bond.**

Anyone who may hereafter construct water supply mains outside of the Village limits which become a part of the water distribution system of the Village, shall maintain at their expense the mains so constructed to keep them in good operating condition for a period of 5 years after installation. To guarantee said maintenance, said person shall furnish a surety bond or other security acceptable to the Village, approved by the Village, in the amount specified by the Village, but not less than \$5,000.00 and conditioned upon the Village being reimbursed for and/or the person paying all expenses incurred in maintenance of said mains. After the 5 year period has expired, the Village will assume full maintenance of said mains, and said bond or other security will be cancelled. Failure to keep such bond or other security in full force for the period required shall be sufficient cause to shut off the water, after notice and an opportunity for a hearing as provided in Sec. 58.02 hereof, and to keep the water shut off until the bond or other security is reinstated.

**Sec. 58.53.**

**Water service outside the Village limits.**

Nothing in this chapter shall be interpreted as giving any person, firm or corporation a vested right to water service or to the continuance of water service to any property outside the Village limits. The President and Board of Trustees reserve the right to deny, consistent with law, any application for an extension of the Village water supply mains or for the furnishing of water to any property outside of the Village from existing mains if it deems such denial for the public welfare, or if such extension or water service creates an unreasonable demand upon the water system.

**Sec. 58.54.**

**Installing water mains; methods.**

The cost of installing water supply main extensions, replacements or improvements shall be provided for by one of the following methods:

1. For all new subdivisions or parts thereof located inside of the Village limits and not already served by the Village water supply mains, the subdivider shall provide a complete system of water supply mains connected to the Village water system, including any connecting mains needed to bring water to the subdivision, at such subdivider's expense.
2. For extensions of all water supply mains inside or outside the Village limits on street or alleys already platted which are not a part of a new subdivision, when such mains are intended solely for providing a water supply to one or more abutting property owners, the cost of installing such mains shall be provided for by one or more of the following methods:
  - By regular special assessment procedure or by special service area as established by Illinois law.
  - By advance cash contributions to the Village by the property owners benefitted in the amount of 110 percent of the Village Engineer's Estimate of the cost of the work. 50 percent of the amount due from each benefitted property owner shall be paid as soon as the Village Engineer has prepared a preliminary estimate, which shall be before the preparation of construction plans, specifications and bid documents. The remaining 50 percent of the amount due from each benefitted property owner shall be paid prior to award of the contract for the project and before any construction work shall commence. The Village Engineer's Estimate shall include estimated construction costs, engineering design and construction inspection (either the actual cost if done by a consulting engineer retained by the Village or 10 percent of the construction estimate if done by the Village Engineer), permit fees and miscellaneous direct costs. The contract for the work shall be let by the Village with the understanding that any excess of funds advanced over actual final costs shall be refunded to the contributors, and any deficit in funds shall be paid by the contributors to the Village upon receipt of notice from the Village regarding such deficit and in all cases prior to the contributors being issued a connection permit.
  - (Section Amended by A-439-2-02)

Any or all of the above methods shall first be approved by the Board of Trustees before start of construction.

**Article V. Connections**  
(Added by A-439-1-86)

**Sec. 58.55.**

**Definitions.**

For the purpose of this Article, the following definitions shall apply unless the context clearly requires otherwise:

- (A) **AIR GAP.** The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood level rim of the receptacle.
- (B) **APPROVED.** Accepted by the Burr Ridge Water Department as meeting an applicable specification stated or cited in this chapter, or as suitable for the proposed use.
- (C) **AUXILIARY SUPPLY.** Any water source or system other than the potable water supply that may be available in the building or premises.
- (D) **BACKFLOW.** The flow of any water, foreign liquids, gases or other substances back into the distribution pipes of the potable water system.
- (E) **BACKFLOW PREVENTER.** A device or means to prevent backflow.
- (F) **BACK-SIPHONAGE.** The flowing back of used, contaminated or polluted water due to a negative gauge or subatmospheric pressure in that pipe.
- (G) **CONTAMINATION.** See pollution.
- (H) **CROSS-CONNECTION.** Any actual or potential connection between the potable water supply and a source of possible contamination or pollution.
- (I) **DRAIN.** Any pipe that carries water or waterborne wastes in a building drainage system.
- (J) **FIXTURE-PLUMBING.** Installed receptacles, devices or appliances supplied with water or that received or discharge liquids for liquid-borne wastes.
- (K) **FLOOD-LEVEL RIM.** The edge of the receptacle from which water overflows.
- (L) **HAZARD, HEALTH.** Any condition or devices which, in the judgement of the Superintendent, may create a danger to the health and well-being of the water consumer. An example of a health hazard is a structural defect in the water supply system, whether of location, design or construction, that regularly or occasionally may prevent satisfactory treatment of the water supply or cause it to be polluted from extraneous sources.
- (M) **HAZARD, PLUMBING.** Any arrangement of plumbing, including piping and fixtures, whereby a cross-connection is created or is possible.
- (N) **HYDRO-PNEUMATIC TANK.** A pressure vessel in which air pressure acts upon the surface of the water contained within the vessel, pressurizing the water distribution piping connecting to the vessel.
- (O) **OUTLET.** The open end of the water supply pipe through which the water is discharged into the plumbing fixture.

- (P) **PLUMBING SYSTEM.** Includes the water supply and distribution pipes, plumbing fixtures, traps, soil pipes, waste pipes, vent pipes, building drains and building sewers, including their respective connections, devices and appurtenances, any of which are located within the property lines of the premises; and water-treating or water-using equipment.
- (Q) **POLLUTION.** The presence of any foreign substance (organic, inorganic, radiological, or biological) in water that, either by itself or in combination with another substance in the water, tends to, or has the potential to, degrade its quality so as to constitute a hazard or impair the usefulness of the water.
- (R) **REDUCED PRESSURE PRINCIPLE BACKFLOW PREVENTER.** An assembly of differential valves and check valves, including an automatically opened spillage port to the atmosphere designed to prevent backflow.
- (S) **SURGE TANK.** The receiving, non-pressure vessel forming part of the air gap separation between a potable and an auxiliary supply.
- (T) **VACUUM.** Any pressure less than exerted by the atmosphere.
- (U) **WATER, POTABLE.** Water free from contaminants in amounts sufficient to cause disease or harmful physiological effects. Its bacteriological and chemical quality shall conform to the requirements of the Federal and State drinking water regulations and to any regulations of the applicable public health authority having local jurisdiction.
- (V) **WATER, NON-POTABLE.** Water that is not safe for human consumption or that is of questionable potability.

**Sec. 58.56.**

**Cross Connections Prohibited.**

- (A) Cross connections between potable water systems and other systems or equipment containing water or other substances are prohibited except when and where, as approved in writing by the Water Department, suitable protective devices such as the reduced pressure zone backflow preventer (non-residential) or double-check valve assemblies (residential) are installed, tested and maintained to ensure proper operation on a continuing basis.
- (B) To protect the public water system from contamination due to contaminants through the water service connection into the public water system, a program of inspection and regulation shall be provided.
- (C) The Superintendent of Public Works, or his designated agent (hereinafter referred to collectively as Superintendent), shall inspect the plumbing in every building or premises served by the public water system as frequently as in his judgement may be necessary to ensure that such plumbing has been installed and maintained in such a manner as to prevent the possibility of pollution of the water supply of the Village. The Superintendent shall notify or cause to be notified in writing the owner or authorized agent of the owner of any such building or premises, to correct, within a reasonable time set by the Superintendent, any plumbing installed or existing contrary to or in violation of this Chapter or any other applicable law or ordinance, and which, in his judgement, may therefore permit the pollution of the Village water supply, or otherwise adversely affect the public health.
- (D) **Inspection.** The Superintendent of Public Works, or his designated agent, shall have the right of entry into any building, during reasonable hours, for the purpose of making inspection of the plumbing systems installed in such building or premises, provided that with respect to the



inspection of any single family dwelling, consent to such inspection shall first be obtained from a person of suitable age and discretion therein or in control thereof. Consistent refusal to allow inspection of a specific dwelling may be cause for requiring installation of suitable backflow protection device approved by the Village, or discontinuation of potable water service in the manner provided in this Chapter.

**Sec. 58.57.**

**Technical Requirements.**

A potable water supply system shall be designed, installed and maintained in such a manner as to prevent contamination from non-potable liquids, solids, or gases being introduced into the potable water supply through cross-connections or any other piping connections to the system.

- (A) Connection to a potable water supply system is prohibited unless protected against backflow as set out herein. Examples of fixtures and equipment from which the potable water supply system must be protected include, but are not limited to:
  - (1) Bidets
  - (2) Operating, dissection, embalming, and mortuary tables or similar equipment. In such installation, the hose used for water supply shall terminate at least 12 inches away from any point of the table or attachments.
  - (3) Pumps for non-potable water, chemicals or other substances. Priming connections may be made only through an air gap.
  - (4) Building drainage, sewer, or vent systems.
- (B) Potable water connections to boilers shall be made through an air gap or provided with a Village approved backflow preventer.
- (C) Refrigerating Unit Condensers and Cooling Jackets. Except where potable water provided for a refrigerator condenser or cooling jacket is entirely outside the piping or tank containing a toxic refrigerant, the inlet connection shall be provided with a Village approved check valve. Also adjacent to and at the outlet side of the check valve, a Village approved pressure relief valve set to relieve at 5 psi above the maximum water pressure at the point of installation shall be provided if the refrigeration units contain more than 20 pounds of refrigerants.
- (D) Protection Against Backflow and Back Siphonage
  - (1) Water Outlets. A potable water system shall be protected against backflow and back-siphonage by providing and maintaining at each outlet, an air gap, as specified below, between the potable water outlet and the flood level rim of the fixture it supplies, or between the outlet and any other source of contamination, or an approved device or means to prevent backflow.
  - (2) Minimum Required Air Gap
    - (a) How Measured. The minimum required air gap shall be measured vertically from the lowest end of a potable water outlet to the flood rim or line of fixture or receptacle into which it discharges.
    - (b) Size. The minimum required air gap shall be twice the effective opening of a potable water outlet unless the outlet is a distance less than three times the effective opening away from a wall or similar vertical surface, in which case the minimum required air gap shall be three times the effective

opening of the outlet. In no case shall the minimum required air gap be less than one inch.

- (E) Before any device for the prevention of backflow or back-siphonage is installed, it shall have first been certified by the Foundation for Cross-Connection Control Research of the University of Southern California, and/or the National Sanitation Foundation. Devices, other than reduced pressure zone backflow preventers, installed in a residential potable water supply distribution system for protection against backflow shall be maintained in good working condition by the person or persons responsible for the maintenance of the system. Reduced pressure zone backflow preventers installed in a non-residential building potable water supply distribution system shall be tested and/or maintained by a State Certified Backflow Preventer Maintenance/Tester in accordance with Section 653.802(d) of Subtitle F, Title 35 of the Illinois Administrative Code as adopted by the State of Illinois Environmental Protection Agency, including any subsequent amendments thereto. The Superintendent or his designee shall inspect routinely such devices and if they are found to be defective or inoperative, the Superintendent shall notify the owner of his obligation to have the device repaired within 72 hours of oral or written notice by the Superintendent. If the building owner does not perform the necessary repairs within 72 hours, the Superintendent shall require the replacement thereof and shall engage the service of a plumber to perform the required work, which cost shall be invoiced to the building owner, plus a cost of 10% for processing costs, to be paid to the Village. In the case of an emergency repair, the Superintendent may require the replacement of the device and arrange with a plumber for the device to be removed. The cost of this work will be invoiced to the building owner at actual cost.

(F) Installation of Devices

- (1) A reduced pressure principle type backflow preventer may be installed subject to full static pressure.
- (2) Backflow and back-siphonage preventing devices containing backflows to separate fixtures shall be accessibly located, preferably in the same room with the fixture they serve. Installation in utility or service spaces, provided they are readily accessible, is also permitted.

(G) Below Rim Supply

- (1) Where a potable water outlet terminates below the rim of a tank or vat, and the tank or vat has an overflow of diameter not less than two inches, the overflow pipe shall be provided with an air gap as close to the tank as possible.
- (2) The potable water outlet to the tank or vat shall terminate a distance not less than 1-1/2 times the height to which water can rise in the tank above the top of the overflow. This level shall be established at the maximum flow rate of the supply to the tank or vat and with all outlets except the air gap overflow outlet closed. The distance from the outlet to the high water level shall be measured from the critical point of the potable water supply outlet.

- (H) Village approved devices to protect against backflow and back-siphonage shall be installed at all fixtures and equipment where backflow and/or back-siphonage may occur and where a minimum air gap cannot be provided between the water outlet to the fixture or equipment and its flood-level rim.

- (1) Connections Subject to Back Pressure. Where a potable water connection is made to a line, fixture, tank, vat, pump, or other equipment with a hazard of backflow or

back-siphonage where the water connection is subject to back pressure, and an air gap cannot be installed, the Superintendent will require adequate protection which will include the use of an approved reduced pressure principle backflow preventer.

- (I) When a booster pump is used on a water pressure booster system, and the possibility exists that a positive pressure of less than 20 PSI may occur on the suction side of the pump, there shall be installed a low pressure cutoff on the booster pump to prevent the creation of a vacuum or negative pressure on the suction side of the pump, thus cutting off water to other outlets.

**Sec. 58.58.**

**Backflow Prevention Devices Required.**

All construction requiring permits by the Building Department which involve construction revisions or additions to the potable water distribution system of the building or premises shall require the installation of a backflow prevention device immediately downstream of the water meter. Backflow prevention devices shall be required on certain existing buildings in accordance with Subsection B-10 of this Section.

- (A) For residential construction permits, backflow preventers will be issued by the Water Department upon receipt of payment. For non-residential construction, backflow preventers (reduced principle) shall be furnished by the permittee.
- (B) Backflow preventers shall be installed by a licensed plumber at the sole expense of the owner of the premises being served. All devices shall be installed in accordance with manufacturer's recommendations. Reduced pressure principle backflow preventers shall be installed as follows:
  - (1) Reduced principle backflow preventers shall be installed on fire lines and potable water service lines separately. Fire lines shall be equipped with a detector check.
  - (2) Reduced principle backflow preventers shall be installed with two (2) resilient seat gate valves, with a test cock on the No. 1 gate valve.
  - (3) Installation shall be in location where the unit is readily accessible for maintenance and testing. Location should be immediately "downstream" of the water meter.
  - (4) Minimum clearances recommended by the manufacturer shall be observed.
  - (5) The unit shall be protected against flooding and freezing.
  - (6) Free draining of the relief port must be maintained under all conditions and provisions to accomplish the same, such as floor drains, shall be provided.
  - (7) If installed at ceiling level, a collection system shall be installed with a fixed and proper air gap under the drain port to protect areas below the unit from drainage, and a proper air gap between the discharge of the collection system and structure accepting the discharged water.
  - (8) There shall be no reduction made in the size of the relief port drain.
  - (9) Provision shall be made for easy and unrestricted removal of the unit.
  - (10) Reduced principle backflow preventers are expressly required on all existing and proposed buildings where:
    - a) the fire safety system contains antifreeze, fire retardant or other chemicals;

- b) water is pumped into the fire safety system from another source; or
- c) water flows into the fire safety system by gravity from a non-potable source; or
- d) there is a connection whereby water can be pumped into the fire safety system from any other source.

(C) Testing of Reduced Pressure Principle Backflow Preventers.

- (1) Each year the Village will cause the testing of each reduced pressure principle backflow preventer installed.
- (2) Testing of units shall be the responsibility of the building owner and be performed in accordance with manufacturer's recommendation. Minimal maintenance such as internal cleaning, if needed, shall be provided. Costs for tests, parts and/or replacement of units will be the responsibility of the building owner.
- (3) Testing of initial installation before occupancy shall be required. Initial certification test will be done at no charge. Residential construction shall require 3/4" double check valve assembly on a 1" service line. All non-residential construction shall require reduced principle backflow preventers.
- (4) The Water Department shall perform random inspections and testing each year, based on the anniversary date of the installation. Such tests shall be conducted, where possible, within 60 days of said anniversary date.
- (5) The building owner shall be responsible for authorizing a qualified licensed plumber to perform all necessary tests and file all necessary reports with State and local authorities, and will certify that owners' reduced pressure backflow preventers are operating and being maintained in accordance with existing State code requirements and manufacturers recommendations. These reports shall be submitted annually to the Superintendent. A copy of the maintenance and inspection records shall be on file at the plant facility and shall be made available to the inspector or backflow maintainer on request.
- (6) Cost of subsequent annual inspections and testing of units shall be the owners responsibility. The charge for random inspection and test by the Village will be based on \$100.00 per unit.
- (7) All parts necessary to rebuild a unit to meet factory and/or State Standards shall be provided by the manufacturer of the backflow preventer, and shall be new parts.
- (8) Any maintenance and/or inspections and testing requested of the Water Department by owner between annual inspection will be performed by the Water Department and invoiced at then current prices or rates.
- (9) Tampering Prohibited. No persons other than the Superintendent or his designee, or other State certified backflow preventer maintenance/tester shall remove, repair, test or perform any maintenance on any reduced pressure principle backflow preventer.
- (10) Owners of all reduced pressure principle backflow preventers shall provide easy access to units and/or necessary tools and equipment, and shall furnish the Water

Department with necessary ladders and/or scaffolding, and shall assign an employee or employees to assist the Water Department in performing any necessary testing and service according to this Code, as may be necessary, all at owners expense. The owner of each device shall maintain in a neat and orderly manner, a manufacturer's maintenance manual and manufacturer's testing instruction at the point of installation of the device.

- (D) Out of Service - Repair. When a unit is out of service, or otherwise is in need of service, the Water Department shall be notified within 24 hours.
- (E) By-Passes. If there is only one service line, and the water service cannot be interrupted, a second backflow preventer may be installed in parallel with the first. Under no circumstance will a backflow preventer be bypassed by unprotected piping. For buildings where water service cannot be interrupted during normal Village working hours, a bypass will be required with a backflow preventer.
- (F) Specification. Reduced principle backflow preventers shall be Febco 825 or 835 series (as applicable) or Cla-Val RP Series.

**Sec. 58.59.**

**Notification of Violation.**

The Superintendent shall notify the owner, or authorized agent of the owner of the building or premises in which there is found a violation of this ordinance, of such violation. The Superintendent shall set a reasonable time, based on the level or hazard to health, for the owner to have the violation removed or corrected, and shall include in such notification a indication that water service may be terminated if the owner fails to correct the defect in such time. Upon failure of the owner to have the defect corrected by the end of the specified time interval, the Superintendent may, if in his judgment an imminent health hazard exists, cause the water service to the building or premises to be terminated, and/or recommend such additional fine or penalties to be invoked as herein may be provided.

**Article VI. Air Conditioners and Refrigeration Systems**  
(A-439-1-86 renumbers the following)

**Sec. 58.60.**

**Systems not permitted.**

No person shall install, operate or use any equipment for air-conditioning or refrigeration which requires a supply of water from the Village of Burr Ridge water system.

## **Article VII. Fluoride**

### **Sec. 58.61.**

#### **Use of Fluoride.**

The President and Board of Trustees hereby find that it is the interests of public health that steps for the introduction of fluoride to the water supply in a concentration adequate for safety be taken.

### **Sec. 58.62.**

#### **Fluoride levels.**

Fluoride shall be added to the Village water supply in quantities sufficient to maintain in the entire Village an optimum fluoride level of 1.0 part per million parts of water. Said fluoride shall be added in accordance with regulations prescribed by the Illinois Department of Health and the Department of Public Works of the Village of Burr Ridge.

## **Article VIII. General Provisions, Penalties, Severability**

### **Sec. 58.63. Authorization to act for Superintendent of Public Works.**

When any action herein is to be taken by the Superintendent of Public Works, said action may also be taken by said Superintendent's duly authorized agent or agents.

### **Sec. 58.64. Minimum requirements.**

All requirements contained herein relating to water meters and construction regulations shall be construed to be minimum requirements.

### **Sec. 58.65. Filing of ordinance as notice to property owners.**

A copy of this ordinance, properly certified by the Village Clerk, shall be filed in the offices of the Records of Deeds of Cook and DuPage Counties, and shall be deemed notice to all owners of real estate of their liability for service supplied to any user of the service of the waterworks system of said Village on their properties.

### **Sec. 58.66. Conflicting provisions.**

All ordinances and parts of ordinances in conflict herewith are hereby repealed insofar as the conflicting portions thereof are concerned.

### **Sec. 58.67. Penalties.**

Any person, firm or corporation violating any of the provisions of this chapter shall be fined not less than \$5.00 nor more than \$750.00 for each offense and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (Amended by A-439-1-96)

### **Sec. 58.68. Effect of prior ordinances.**

This ordinance shall not be construed to repeal a former ordinance, whether such former ordinance is expressly repealed or not, as to any offense committed against such former ordinance or as to any act done, any penalty, forfeiture or punishment so incurred, or any right accrued, or claim arising under the former ordinance, or in any way whatever to affect any such offense or act so committed or so done, or any penalty, forfeiture or punishment so incurred or any right accrued, or claim arising before the new ordinance takes effect, save only that the proceedings thereafter shall conform to the ordinance in force at the time of such proceeding so far as practicable.

### **Sec. 58.69. Severability.**

If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this ordinance.

### **Sec. 58.70. Effective date; publication.**

That this ordinance shall be in full force and effect from and after its passage, approval and publication as required by law. This ordinance shall be published in pamphlet form.

### **Sec. 58.71. Other Ordinances.**



There exist special ordinances relating to the waterworks system, including but not necessarily limited to Ordinance No. 284, 311, 371 and 405, which affect only certain portions of the waterworks system and/or are effective only for a limited period of time and which have not been codified herein but which shall continue in full force and effect in accordance with the terms of each such ordinance.